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THE QUEEN'S MEDICAL CENTER

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SARAH TEVES,

Plaintiff,

vs.

THE QUEEN'S MEDICAL CENTER;  
AND DOE DEFENDANTS 1-100,

Defendants.

CIVIL NO. \_\_\_\_\_

DEFENDANT THE QUEEN'S  
MEDICAL CENTER'S **NOTICE OF  
REMOVAL**; DECLARATION OF  
CHRISTOPHER S. YEH; EXHIBITS  
"A" AND "B"; CERTIFICATE OF  
SERVICE

No Trial Date Set.

**DEFENDANT THE QUEEN'S MEDICAL CENTER'S  
NOTICE OF REMOVAL**

TO THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF HAWAII:

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, Defendant The Queen's Medical Center ("Defendant") hereby removes Civil No. 19-1-0002102 from the Circuit Court of the First Circuit, State of Hawaii ("Circuit Court"), to the United States District Court for the District of Hawaii. The grounds for removal are as follows:

1. The instant action was commenced by Plaintiff Sarah Teves ("Plaintiff") by the filing of a Complaint in the Circuit Court, identified as Civil No. 19-1-0002102, *Sarah Teves vs. The Queen's Medical Center* (the "Complaint").
2. The Complaint was served on Defendant on April 23, 2020. A true and correct certified copy of the Complaint served on Defendant is attached hereto as Exhibit A.
3. No other process, pleadings, and/or orders have been served upon Defendant in this case.
4. Defendant filed an Answer to the Complaint ("Answer") on May 13, 2020. A true and correct copy of Defendant's Answer is attached hereto as Exhibit B.

5. No further proceedings have been had, and thirty days have not elapsed since this action became removable to this Court. Thus, removal of this action is timely under 28 U.S.C. § 1446(b).

6. Defendant has a right to remove this action to this Court pursuant to 28 U.S.C. §§ 1331 and 1441 because some or all of Plaintiff's claims against Defendant arise under federal law. Specifically, the Complaint alleges violations of the Family and Medical Leave Act, 29 U.S.C. § 2601 *et seq.*, and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 *et seq.*, as amended. To the extent that any claims in the Complaint are not based on federal law, the Court would have subject matter jurisdiction over such claims pursuant to 29 U.S.C. § 1367.

7. Venue is proper in the District of Hawaii pursuant to 28 U.S.C. § 1391 inasmuch as the events giving rise to the instant lawsuit allegedly occurred in the District of Hawaii. *See* Ex. A.

8. Pursuant to 28 U.S.C. § 1446(d), Defendant will provide Plaintiff with written notice of the filing of this Notice of Removal and will file a copy of the Notice of Removal with the Clerk of the Circuit Court of the First Circuit, State of Hawaii.

9. By filing this Notice of Removal, Defendant waives no defenses to the Complaint.

WHEREFORE, Defendant respectfully requests that this action be removed from the Circuit Court to this Court and that it proceed herein.

DATED: Honolulu, Hawaii, May 13, 2020.

/s/ Christopher S. Yeh  
CHRISTOPHER S. YEH  
KRISTI K. O'HERON

Attorneys for Defendant  
THE QUEEN'S MEDICAL CENTER